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09/741,690	12/19/2000	John A. Toebes	062891.0428	6554

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EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 10/21/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,690

Applicant(s)

TOEBES ET AL.

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- |                                                                                                              |                                                                             |
|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other:                                          |

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## DETAILED ACTION

### *Response to Amendment*

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 and 13-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft.

Regarding claim 1 Kraft teaches providing selectable characters within a user interface comprising determining an operating mode of a communication device (see abstract and col. 6, lines 30-36). Kraft teaches receiving an input associated with a selected input key and determining a group of characters associated with the selected key based on an operating mode (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-12). Kraft teaches displaying a group of characters associated with the selected key within a user interface (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-12).

Regarding claim 2 Kraft teaches displaying a first character of a group of characters associated with the selected key within a first portion of the user interface; displaying the group of characters associated with the selected key proximal to the first character within a second portion of the user interface; and highlighting a first character displayed within the second portion of the user interface (see col. 14, lines 65-67, col. 15, lines 1-4 & 7-12, and FIG. 7).

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Regarding claim 3 Kraft teaches receiving a second input associated with the selected key; highlighting the second character within the group of characters associated with the selected key in response to a record input; and displaying the second character within the first portion of the user interface (see abstract, col. 5, lines 66-67, col. 6, lines 1-6 & 18-29 and FIG. 5).

Regarding claim 4 Kraft teaches horizontally displaying the group of characters associated with the selected key within a second portion of a user interface; and centrally displaying a cursor relative to the second portion of the user interface within a first portion of the user interface, the cursor displaying a first highlighted character displayed within the group of characters associated with the selected key (col. 5, lines 66-67, col. 6, lines 1-6 & 18-29 and FIG. 3).

Regarding claim 5 Kraft teaches segmenting a group of characters associated with a selected key displayed within the user interface (col. 5, lines 66-67, col. 6, lines 1-6 & 18-29 and FIG. 3).

Regarding claim 6 Kraft teaches determining a display mode associated with displaying the group of characters associated with the selected key within the user interface; and displaying the group of characters associated with the selected key based on the determined display mode (see abstract and col. 7, lines 15-50).

Regarding claim 7 Kraft teaches receiving a second input associated with a selected key; determining a time interval based on the second input; and calculating a time-out period using the time interval (see col. 8, lines 15-35).

Regarding claim 8 Kraft teaches providing selectable characters within a user interface comprising a first display portion operable to display a group of characters associated with a

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selected key in response to the selected key being selected; a second display portion operable to display one of the characters associated with the selected key proximal to the first display portion; and an input device operably coupled to the first display portion and the second display portion the input device comprising a plurality of keys (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11).

Regarding claim 9 Kraft teaches at least one operating mode associated with providing the group of characters (see col. 6, lines 30-35 and col. 7, lines 15-21).

Regarding claim 10 Kraft teaches a user interface that comprises a display mode operable to display the group of characters within the first and second display portions (see col. 5, lines 66-67, col. 6, lines 1-6 & 18-29 and FIG. 3).

Regarding claim 11 Kraft teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 13 Kraft teaches an input device that comprises a keyboard having at least one key operably coupled to the group of characters based on an operating mode (see col. 3, lines 62-67).

Regarding claim 14 Kraft teaches selectable soft keys displayed within a portion of the user interface (see col. 3, lines 62-67 and col. 4, lines 29-36).

Regarding claim 15 Kraft teaches providing a communication address comprising determining an operating mode of a communication device (see abstract col. 5, lines 59-62 and col. 6, lines 30-36). Kraft teaches receiving an input associated with a selected key and determining a group of characters associated with the selected key based on an operating mode (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11). Kraft teaches displaying a group of

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characters associated with the selected key within a user interface (col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11).

Regarding claim 16 Kraft teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 17 Kraft teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 18 Kraft teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 19 Kraft teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 20 Kraft teaches a medium comprising encoded logic for displaying selectable characters within a user interface operable to determine an operating mode of a communication device (see abstract and col. 6, lines 5-10 & 30-36). Kraft teaches receiving an input associated with a selected key and determining a group of characters associated with the selected key based on an operating mode (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11). Kraft teaches displaying a group of characters associated with the selected key within the user interface (see col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11).

Regarding claim 21 Kraft teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 22 Kraft teaches a device as recited in claim 3 and is rejected given the same reasoning as above.

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Regarding claim 23 Kraft teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 24 Kraft teaches a device as recited in claim 6 and is rejected given the same reasoning as above.

Regarding claim 25 Kraft teaches a device as recited in claim 7 and is rejected given the same reasoning as above.

Regarding claim 26 Kraft teaches determining a time-out period associated with displaying the group of characters associated with the selected key; highlight a first character within a group of characters associated with the selected key based on the time period; and highlight a second character within the group of characters associated with the selected key (see col. 7, lines 35-45, col. 8, lines 15-35 and FIG. 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft in view of Wells.

Regarding claim 12 Kraft teaches a device as recited in claim 8 except for an algorithm operable to determine a time-out period based on user interaction with the user interface. Kraft does teach determining a time-out period based on user interaction with a user interface (see col. 8, lines 15-42). Wells teaches a user selectable animation sequence that is algorithmically

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generated by a processor in a mobile station (see col. 12, lines 22-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the time-out period in Kraft adapt to be generated using an algorithm because this would allow for a user to automatically enable or disable display of characters in a user interface.

***Response to Arguments***

Applicant's arguments filed 8/6/2003 have been fully considered but they are not persuasive. Regarding independent claims 1, 15, and 20 Kraft teaches entering a character using a selected key on an alphanumeric keypad, determining a group of characters associated with the selected key based, and displaying a group of characters associated with the selected key within the user interface (col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11), this relates to applicant's claimed definition of "determining a group of characters associated with the selected key based on the operating mode; and means for displaying the group of characters associated with the selected key within the user interface. Regarding independent claim 8 and dependent claim 12 Kraft teaches entering a character using a selected key on an alphanumeric keypad, a display portion operable to display a group of characters associated with a selected key in response to the key being selected, and another display portion operable to display one of the characters associated with the selected key proximal to the other display portion (col. 14, lines 65-67 and col. 15, lines 1-4 & 7-11), this relates to applicant's claimed definition of "a first display portion operable to display a group of characters associated with a selected key in response to the selected key being selected; a second display portion operable to display one of the characters associated with the selected key proximal to the first display portion".



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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schneider-Hufschmidt et al. U.S. Patent 6,130,628 discloses a device for inputting alphanumeric and special symbols.

Grimmett U.S. Patent 5,977,887 discloses data storage apparatus.

Kim U.S. Patent 6,459,390 discloses a method of inputting characters in a wireless portable terminal.

Nowlan U.S. Patent 6,169,538 discloses a method and apparatus for implementing a graphical user interface keyboard and a text buffer of electronic devices.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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October 8, 2003



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
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